

AMENDED IN SENATE MARCH 29, 2005

**SENATE BILL**

**No. 260**

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**Introduced by Senator Denham**

**(Coauthor: Senator Ducheny)**

*(Coauthors: Assembly Members Cogdill and Shirley Horton)*

February 15, 2005

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An act to add and repeal Section 48911.3 of ~~school~~ the Education Code, relating to school attendance.

LEGISLATIVE COUNSEL'S DIGEST

SB 260, as amended, Denham. Education finance: average daily attendance: apportionments.

Existing law authorizes a school district to assign a pupil suspended from school to a supervised suspension classroom under certain circumstances and authorizes the school district to continue to claim apportionments for each pupil assigned to and attending a supervised suspension classroom if, among other things, the classroom is staffed by an employee of the district who possesses a valid certification document. Existing law authorizes the governing board of a school district to suspend the enforcement of an expulsion order and assign a pupil to a rehabilitative school, class, or program and authorizes apportionments for the attendance of pupils in those rehabilitative settings if the pupil is under the immediate supervision of a person who shares the responsibility for the supervision of the pupils in the rehabilitative activities with certificated personnel of the school district.

This bill would, notwithstanding those provisions, and until July 1, 2011, authorize the *governing board of any school district within Lake County* ~~Office of Education, the San Diego County Office of Education, and the Stanislaus County Office of Education,~~ to request approval from the State Board of Education to claim apportionments

for the attendance of pupils attending a suspension classroom staffed by a noncertificated school employee, provided that a pupil attending the suspension classroom is allowed to complete for credit any assignments or tests that would otherwise be missed during the period of suspension, the apportionments are for no more than 5 pupils per day, a ~~certified~~ *certificated* employee monitors the classroom at least 2 times per day, and apportionments for a particular pupil are *claimed* for no more than 10 days per academic year.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 48911.3 is added to the Education  
2 Code, to read:  
3 ~~48911.3. (a) Notwithstanding Section 48911.1, the Lake~~  
4 ~~County Office of Education, the San Diego County Office of~~  
5 ~~Education, and the Stanislaus County Office of Education may,~~  
6 *48911.3. (a) Notwithstanding Section 48911.1, the governing*  
7 *board of any school district within Lake County, San Diego*  
8 *County, and Stanislaus County may, on a pilot program basis,*  
9 *request approval from the State Board of Education to claim*  
10 *apportionments for the attendance of pupils attending a*  
11 *suspension classroom staffed by a noncertificated school*  
12 *employee if the pupils attending the suspension classroom are*  
13 *allowed to complete for credit any assignments or tests that*  
14 *would otherwise be missed during the period of suspension and*  
15 *all of the following conditions are met:*  
16 *(1) Apportionments are claimed for no more than five pupils*  
17 *per day.*  
18 *(2) A certificated employee monitors the classroom not less*  
19 *than two times per day.*  
20 *(3) Apportionments are not claimed for a particular pupil for*  
21 *more than 10 days in an academic year.*  
22 ~~(b) (1) No later than January 1, 2011, a superintendent of a~~  
23 ~~county office of education~~ *the governing board of a school*  
24 *district that receives approval to claim apportionments pursuant*  
25 *to this section shall submit a report to all of the following*  
26 *regarding the fiscal impact of this section:*  
27 *(A) The Superintendent.*

1 (B) The Secretary for Education.

2 (C) The President Pro Tempore of the Senate.

3 (D) The Speaker of the Assembly.

4 (E) The minority leader of the Senate.

5 (F) The minority leader of the Assembly.

6 (2) The report required by this subdivision may be transmitted  
7 by electronic means.

8 (c) This section shall become inoperative on July 1, 2011, and,  
9 as of January 1, 2012, is repealed, unless a later enacted statute,  
10 that becomes operative on or before January 1, 2012, deletes or  
11 extends the dates on which it becomes inoperative and is  
12 repealed.